

1 **JORDAN RIVER RECREATION AREA FUNDING**

2 **MANAGEMENT**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5

6 **LONG TITLE**

7 **General Description:**

8 This bill addresses the Jordan River Recreation Area.

9 **Highlighted Provisions:**

10 This bill:

- 11 ▶ clarifies that the Division of Forestry, Fire, and State Lands manages the money
- 12 appropriated to programs related to the Jordan River Recreation Area;
- 13 ▶ provides that the money appropriated to programs related to the Jordan River
- 14 Recreation Area are nonlapsing; and
- 15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **63J-1-602.2**, as last amended by Laws of Utah 2019, Chapters 136, 326, 468, and 469

23 **65A-2-8**, as last amended by Laws of Utah 2019, Chapter 113

24

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **63J-1-602.2** is amended to read:

27 **63J-1-602.2. List of nonlapsing appropriations to programs.**

28 Appropriations made to the following programs are nonlapsing:

- 29 (1) The Legislature and its committees.
- 30 (2) The Percent-for-Art Program created in Section 9-6-404.
- 31 (3) The LeRay McAllister Critical Land Conservation Program created in Section

32 11-38-301.

33 (4) Dedicated credits accrued to the Utah Marriage Commission as provided under
34 Subsection 17-16-21(2)(d)(ii).

35 (5) The Trip Reduction Program created in Section 19-2a-104.

36 (6) The Division of Wildlife Resources for the appraisal and purchase of lands under
37 the Pelican Management Act, as provided in Section 23-21a-6.

38 (7) The primary care grant program created in Section 26-10b-102.

39 (8) Sanctions collected as dedicated credits from Medicaid provider under Subsection
40 26-18-3(7).

41 (9) The Utah Health Care Workforce Financial Assistance Program created in Section
42 26-46-102.

43 (10) The Rural Physician Loan Repayment Program created in Section 26-46a-103.

44 (11) The Opiate Overdose Outreach Pilot Program created in Section 26-55-107.

45 (12) Funds that the Department of Alcoholic Beverage Control retains in accordance
46 with Subsection 32B-2-301(7)(a) or (b).

47 (13) The General Assistance program administered by the Department of Workforce
48 Services, as provided in Section 35A-3-401.

49 (14) A new program or agency that is designated as nonlapsing under Section
50 36-24-101.

51 (15) The Utah National Guard, created in Title 39, Militia and Armories.

52 (16) The State Tax Commission under Section 41-1a-1201 for the:

53 (a) purchase and distribution of license plates and decals; and

54 (b) administration and enforcement of motor vehicle registration requirements.

55 (17) The Search and Rescue Financial Assistance Program, as provided in Section
56 53-2a-1102.

57 (18) The Motorcycle Rider Education Program, as provided in Section 53-3-905.

58 (19) The State Board of Regents for teacher preparation programs, as provided in
59 Section 53B-6-104.

60 (20) The Medical Education Program administered by the Medical Education Council,
61 as provided in Section 53B-24-202.

62 (21) The State Board of Education, as provided in Section 53F-2-205.

63 (22) The Division of Services for People with Disabilities, as provided in Section
64 62A-5-102.

65 (23) The Division of Fleet Operations for the purpose of upgrading underground
66 storage tanks under Section 63A-9-401.

67 (24) The Utah Seismic Safety Commission, as provided in Section 63C-6-104.

68 (25) Appropriations to the Department of Technology Services for technology
69 innovation as provided under Section 63F-4-202.

70 (26) The Office of Administrative Rules for publishing, as provided in Section
71 63G-3-402.

72 (27) The Utah Science Technology and Research Initiative created in Section
73 63M-2-301.

74 (28) The Governor's Office of Economic Development to fund the Enterprise Zone
75 Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

76 (29) Appropriations to fund the Governor's Office of Economic Development's Rural
77 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
78 Employment Expansion Program.

79 (30) Appropriations to fund programs for the Jordan River Recreation Area as
80 described in Section 65A-2-8.

81 [~~(30)~~] (31) The Department of Human Resource Management user training program, as
82 provided in Section 67-19-6.

83 [~~(31)~~] (32) A public safety answering point's emergency telecommunications service
84 fund, as provided in Section 69-2-301.

85 [~~(32)~~] (33) The Traffic Noise Abatement Program created in Section 72-6-112.

86 [~~(33)~~] (34) The Judicial Council for compensation for special prosecutors, as provided
87 in Section 77-10a-19.

88 [~~(34)~~] (35) A state rehabilitative employment program, as provided in Section
89 78A-6-210.

90 [~~(35)~~] (36) The Utah Geological Survey, as provided in Section 79-3-401.

91 [~~(36)~~] (37) The Bonneville Shoreline Trail Program created under Section 79-5-503.

92 [~~(37)~~] (38) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,
93 and 78B-6-144.5.

94 [~~(38)~~] (39) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
95 Defense Commission.

96 [~~(39)~~] (40) The program established by the Division of Facilities Construction and
97 Management under Subsection 63A-5-228(3) under which state agencies receive an
98 appropriation and pay lease payments for the use and occupancy of buildings owned by the
99 Division of Facilities Construction and Management.

100 Section 2. Section **65A-2-8** is amended to read:

101 **65A-2-8. Jordan River improvement projects.**

102 (1) As used in this section:

103 (a) "Commission" means the Jordan River Commission created by interlocal
104 agreement.

105 (b) "Zone" means the Jordan River Recreation Area, the area 250 yards on each side of
106 the Jordan River from the edge of the river between SR-201 and 4800 South.

107 (2) The division, subject to applicable federal, state, and local laws and ordinances and
108 Subsections (3) and (4), may:

109 (a) expend money for the following purposes:

110 (i) enhancing safety, recreation, and conservation in the zone;

111 (ii) capital improvements within the zone, including:

112 (A) lighting along the Jordan River and within the zone;

113 (B) completing construction of a paved pathway on both sides of the Jordan River
114 within the zone;

115 (C) building a boat launch, picnic pavilion, bench, restroom, or other amenity within
116 the zone; and

117 (D) supporting Tracy Aviary, a nature area, bike or boat rental concessionaire, or other
118 partnerships to enhance recreation in the zone;

119 (iii) funding programs to clean the zone, remove invasive species, and restore riparian
120 habitat;

121 (iv) hiring or contracting for personnel to perform tasks as directed by the commission;

122 (v) partnering or contracting with an urban ranger or conservation corp operated by a
123 state institution of higher education or similar service-oriented organizations or programs:

124 (A) to provide trail, river, and parkway maintenance, invasive species removal and

125 revegetation, emergency care, and environmental education for the area 250 yards on each side
126 of the Jordan River from the edge of the river for the entire length of the river; and

127 (B) to report to the appropriate public official all health, safety, or law enforcement
128 concerns that the organization encounters, as directed by the commission; and

129 (vi) partnering or contracting with local law enforcement or a certified peace officer to
130 provide patrol, security, and law enforcement for the area 250 yards on each side of the Jordan
131 River from the edge of the river for the entire length of the river; and

132 (b) purchase, lease, sell, or dispose of property or an easement within the zone to
133 achieve the goals in Subsection (2)(a).

134 (3) (a) Before engaging in any activity described in Subsections (2)(a)(i) through
135 (2)(a)(iii) or Subsection (2)(b), the division shall receive the approval of:

136 (i) the commission;

137 (ii) any relevant governmental entity that owns or is responsible for the maintenance of
138 real property within the zone, including Salt Lake County Flood Control; and

139 (iii) the relevant municipality within the zone.

140 (b) Before engaging in any activity described in Subsections (2)(a)(iv) through
141 (2)(a)(vi), the division shall:

142 (i) receive the approval of the commission; and

143 (ii) consult with:

144 (A) any relevant governmental entity that owns or is responsible for the maintenance of
145 real property within the zone; and

146 (B) the relevant municipality within the zone.

147 (4) (a) The programs described in this section may only be implemented as
148 appropriations from the Legislature allow.

149 (b) Money appropriated to programs in this section are managed by the division in
150 accordance with this section.

151 (c) Money that the Legislature appropriates to programs described in this section are
152 nonlapsing in accordance with Section 63J-1-602.2.